

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA

FILED
for Roanoke
SEP 30 2010

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

VINCENT MCKINLEY BROWN,
Petitioner,

v.

WARDEN HARRIS L. DIGGS,
Respondent.

) Civil Action No. 7:10-cv-00226
)
)
)

) **ORDER**
)

) By: Hon. Jackson L. Kiser
) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that respondent's motion to dismiss is **GRANTED**; petitioner's petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**; a Certificate of Appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 30th day of September, 2010.

[Signature: Jackson L. Kiser]
Senior United States District Judge